

### **VARIANCE & SPECIAL PERMIT APPLICATION**

#### CITY OF WORCESTER ZONING BOARD OF APPEALS

455 Main Street, Room 404; Worcester, MA 01608 Phone 508-799-1400 Ext. 31440 - Fax 508-799-1406

Fill in information for the Variances (s) you are applying for. Attach additional documentation as necessary.

Lot Area	Front Yard	Setback	Rear Yard Setba	ck
Square footage	Setback			
required:	required:		Setback required:	
Square footage	Setback			
provided:	provided:		Setback provided:	
	Relief			
Relief requested:	requested:		Relief requested:	
Frontage	Side Yard S	Setback	Exterior Side Yard Setback	
	Setback			
Frontage required:	required:		Setback required:	
	Setback			
Frontage provided:	provided:		Setback provided:	
	Relief			
Relief requested:	requested:		Relief requested:	
Off-street Parking/Loading	Heigl	nt	Accessory Struct	
	Height			
Parking required:	permitted:		Type of structure:	
	Height		Square footage of	
Parking provided:	provided:		structure:	
	Relief			
Relief requested:	requested:		Relief requested:	
Loading required:		Oth	ner Variances	
Loading provided:	Relief requested:			
Relief requested:	Zoning Ordinance Article & Section:	<del></del>		
Signs	Requirement:			
Area permitted:	Provided:			
Area provided:				
Relief requested:	†			
Height permitted:	1			
rieight permitted.	<del>-</del>			
			g requested for more than one	
	or more than one		omplete the sections which pe	rtain to the
Height provided:	4	variances (	s) you are applying for.	
Relief requested:	4			
Setback permitted:				
Setback provided:	_[			
Relief requested:				

TYPE OF SPECIAL PERMIT (check the Special Permit you are requesting and describe what you are requesting)
<ol> <li>Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure and/ or Use (Article XVI, Section 4)</li> </ol>
2. Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
3. Non-Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
4. Non-Accessory Sign (Article IV, Section 6)
5. Residential Conversion (Article IV, Section 9)
6. Placement of Fill/Earth Excavation (Article IV, Section 5)
7. Modification of Parking/Loading Requirements (Article IV, Section 7)
8.  Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7)
9. Other Special Permit (Describe Special Permit sought):
Assessor's ADDRESS OF SUBJECT PROPERTY:  (List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).  2. Is this property known by any other address:
3. OWNER OF RECORD: (The owner of record is the person or entity who owns title to the property as of today's date)
4. Address (es) of owner of record is /are
5. Worcester District Registry of Deeds (WDRD) Book(s), Page(s), Page(s)
6. City of Worcester Assessor's Office MapBlockLot
7. NAME OF APPLICANT(S):
8. Address of Applicant:
9. Telephone:
10. Email:
11. Check if you are an: owner (s), lessee (s), optionee (s) (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)
12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts):

13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):
14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):
15. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed used of the property):
16. Are you aware if this property has been previously granted approvals from any City Board or Commission?  If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions):
17. Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and beer refused for non-compliance with the Zoning Ordinance (e.g. a cease and desist order has been issued)? If so, explain:
18. List any additional information relevant to the Variance (s) and Special Permit (s):

### **VARIANCE FINDINGS OF FACT**

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

1.	Describe how a literal enforcement of the provision of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:
2.	Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:
3.	Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:
	Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant easures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:

### SPECIAL PERMIT FINDINGS OF FACT

In the spaces below explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(2) of the Zoning Ordinance. (Attach additional supporting documentation as necessary.)

1.	Social, economic or community needs that are served by the proposal:
2.	Traffic flow and safety, including access, parking and loading areas:
3.	Adequacy of utilities and other public services:
4.	Neighborhood character and social structure:
5.	Impacts on the natural environment:
6.	Potential fiscal impact, including city services needed, tax base, and employment:

WHEREFORE, the applicant(s) requests that this Board	grant the special permit (s) as requested above.
By: Cilcul	By:
(Signature of Applicant or Applicant's Agent) If more than one applicant, all applicants must fill out information.	(Signature of Property Owner or Owner's Agent) If more than one property owner, all owners must fill out information.
(Name of Applicant)	(Name of Property Owner)
(Address)	(Address)
(Contact Phone Number)	(Contact Phone Number)
(Email)	(Email)
May 4, 2021	(Date)
(Date)	
SUPPLEMENTARY QUESTIO	NS FOR SPECIAL PERMITS ONLY
Complete the requested information for the Special Perr necessary. Only complete the sections which pertain to	
•	rileged Pre-existing, Nonconforming Structure (VI, Section 4)
Describe what is currently nonconforming about this s	•
2. Indicate how long the nonconforming aspects of the s	structure have been in existence:
	olicable zoning requirements? (Check with the zoning ect at the time of construction. Past zoning ordinances are zoning maps are available at the Division of Planning and
4. Describe the proposed extension, alteration or chang	e and the total square footage of any physical expansion:

5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:
6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the structure as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.
7. Explain how the structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:
Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Use (Article XVI, Section 4)
Describe what is currently nonconforming about this use:
2. Indicate how long the nonconforming use has been in existence? What year did the use begin? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)
3. At the time the use was initiated, was the use allowed under the then applicable Zoning Ordinance?
4. Describe the proposed extension, alteration or change of use and the total square footage to be utilized for the use:
5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:
6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the use as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.
7. Explain how the use as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing use:

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# Residential Use allowed only by Special Permit in a particular zoning district (Article IV, Section 2, Table 4.1)

	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
1.	Describe the proposed residential use:
2	Total number of dwelling units proposed, number of bedrooms per unit, and square footage of units:
۷.	Total number of aweiling ands proposed, number of bedrooms per and, and square footage of anits.
	Number and dimensions of off-street parking spaces to be provided and location (garage, driveway). Off-street arking spaces must be located outside of the front yard and exterior side yard setbacks.
	Non Residential Use allowed only by Special Permit
	Non-Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
	Describe the proposed use (include description of business, proposed hours of operation, and number of nployees)
2.	Total square footage of proposed use:
3.	Number of off-street parking spaces to be provided. Indicate location of those parking spaces: garage, parking lo parking spaces on a different lot provided through the same ownership and/or leased spaces (a 5-year minimum lease with renewal options must be provided) within 1,000 feet of the use it will serve.
4.	For a proposed animal hospital, animal clinic, pet shop or animal shelter, per Article IV, Section 2, Notes to Table 4.1, Note 4, indicate the location of any animal runs if a residential zoning district is within 200 feet of the subject property.
5.	For a proposed Bed and Breakfast use, provide additional documentation per Article IV, Section 11.
8.	For a proposed Adult Entertainment use, provide additional documentation per Article IV, Section 10.
9.	For a proposed Limited Residential Hospice House, provide additional documentation per Article IV, Section 2, Notes to Table 4.1, Note 10.

10. For a proposed non-accessory parking lot or a motor vehicle display lot, provide additional documentation showing compliance with Article IV, Section 7B.
Non-Accessory Sign (Article IV, Section 6)
1. Square footage, length and width of proposed sign, and height of total structure:
2. Distance of proposed sign from other non-accessory signs along each side of a street.
3. Indicate on the submitted plan the type and style of sign, exact location, etc.
Residential Conversion (Article IV, Section 9)
1. Total number of existing units/Total number of proposed units:
2. Will the external appearance of the structure remain unchanged except for new doors, windows, fire escapes, and stairways?
3. Number of off-street parking spaces to be provided (If new parking is being created, the applicant(s) may need to seek a Special Permit for extension, alteration or change of a pre-existing, nonconforming structure if existing structure does not meet current zoning dimensional requirements. If additional parking cannot be provided for new dwelling unit(s), the proposed conversion may also require a Variance or Special Permit from off-street parking requirements):
4. Which dimensional requirements/setbacks are you seeking relief by the Special Permit?

# Placement of Fill/Earth Excavation (Article IV, Section 5)

- 1. Indicate whether the Special Permit is for Placement of Fill or Earth Excavation:
- 2. Attach documentation showing proposed measures to protect pedestrians and vehicles.
- 3. Provide a proposed timeline for completion of placement of fill.
- 4. Attach documentation from the Director of Public Health and the Conservation Commission as outlined in the City of Worcester Zoning Ordinance Article IV, Section 5.
- 5. Attach a site plan with all required information in support of the application per the City of Worcester Zoning Ordinance Article IV, Section 5.

# Modification of Parking/Loading Requirements (Article IV, Section 7)

			-
1.	Indicate what relief is being sought under	the :	Special Permit:

- 2. If applicable, indicate locations, square footages, and dimensions of relief sought under the Special Permit:
- 2. If applicable, provide number of parking/loading spaces required and relief requested through the Special Permit:

#### **Other Special Permits**

Revised: January 11, 2012

1. Describe Special Permit sought and provide relevant details on the plan of land and rendering. Provide square footage and height of any structures and indicate percentage of lot structure will occupy:

## CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION

\*Note: This form must be completed and signed by both the <u>applicant(s)</u> and <u>owner(s)</u> of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

(1) If a Proprietorship or Single Owner of residential property:

Name of Owner	
Business Address	
Home Address	
Business Phone	Home Phone
Signature of owner (certifying payment of	f all municipal charges):
Eilen	Date:
Partnership or Multiple Owners of resi	dential property:
Full names and address of all partners	
Printed Names	Addresses
Business Address	
Business AddressBusiness Phone	
Business Address Business Phone Signature of all owners of property (certify	ying payment of all municipal charges -attach multiple page:  Date:

## (3) If a Corporation:

Place of Business in Massachusetts Printed Names of Officers of Corporation:		Title	
·			
Owners of Corporation:			
Printed Names		Address	% of stock
Signature of all owners of property (certifying	g payment of all	municipal charges	-attach multiple p
necessary)			
	Date:		
	Date:		
Name of Trust			
			dress
Business Address			dress
Name of Trust		Addre	ess
Name of Trust	payment of all mu	Addre	ess est
Name of Trust	payment of all mu Date: Date: Date:	Addre	ess estach multiple pag
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Edward M. Augustus, Jr. CITY MANAGER



Timothy J. McGourthy CHIEF FINANCIAL OFFICER

Samuel E. Konieczny CITY ASSESSOR

#### CITY OF WORCESTER

ADMINISTRATION & FINANCE

### **Certified Abutters List**

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count	: <u>74</u>			
Assessor's M-B-L/ Parcel Address:		02-039-0039A/ 34 William Street		
Owner: Owner Mailing:		Milton, Eileen P  34 William Street  Worcester, MA 01609		
,	f other than owner):  [Address:			
Petitioner Phone:		(508) 757-3542		
Planning:	Zoning:	X	Liquor License:	ConComm:
Historical:	Cannabis:		Other:	
02-039-23+33	BLOOM KIM LAN TRUSTEE		PO BOX 211	MARLBORO MA 01752
02-039-34+35	DOVETAIL REALTY LLC		0039 WILLIAM ST	WORCESTER MA 01609
02-039-24+25	BECKER COLLEGE		0061 SEVER ST	WORCESTER MA 01609
02-039-29+30	CEDAR WORCESTER APARTMENT	TS LLC	0002 SHEEHAN CIRCLE	FRAMINGHAM MA 01701
02-033-00022	SQUARE ASSESTS LLC		0291 MAIN ST	NORTHBOROUGH MA 01532
02-039-00017	XIONG YING +		0014 MALLARD RD	ACTON MA 01720
02-033-00023	SQUARE ASSETS LLC		291 MAIN ST SUITE 8	NORTHBOROUGH MA 01532
02-039-00020	ZHANG YING		0128 INSTITUTE RD	WORCESTER MA 01602
02-039-00008	WESTALL BRITT J		0049 JOHN ST	WORCESTER MA 01609
02-039-00009	PARVIN HOMES LLC +		0544 PLEASANT ST	WORCESTER MA 01602
02-039-00010	RILEY CARLTON + LAURIE		0014 GENEVA ST	WORCESTER MA 01602
02-033-00018	DOVETAIL PROPERTIES LLC		0039 WILLIAM ST	WORCESTER MA 01609
02-039-00042	ARCHARD SCOTT A + LESSARD		0038 WILLIAM ST	WORCESTER MA 01609
02-033-00017	DOVETAIL PROPERTIES LLC		0039 WILLIAM ST	WORCESTER MA 01609
02-033-00001	WANG SHUO		0013 DANE AVE	SOMERVILLE MA 02143
02-033-00002	WALLACE SHAUN		0033 JOHN ST	WORCESTER MA 01609
02-039-00007	GARCIA AURY		016C KINGSBURY ST	WORCESTER MA 01610
02-033-00003	NUGENT NIALL + PETRA		0498 WATERTOWN ST	NEWTON MA 02460
02-039-00044	SQUARE ASSETS LLC		0291 MAIN ST	NORTHBOROUGH MA 01532
02-039-00011	WU XIUFENG + LIU		0031 TRAVIS ST	WORCESTER MA 01604
02-039-00012	NGUYEN PHUONG		0040 BOWDOIN ST	WORCESTER MA 01609
02-039-00032	GODDARD NATHAN +		0009 NORTH ASHLAND ST	WORCESTER MA 01609

02-039-00019	AOUDE FARID $N + MARIE M$	31 LENOX ST	WORCESTER MA 01602
02-039-00039	GETR LLC	0001 DICARLO RD	HOPKINTON MA 01748
02-039-00018	XIONG YING + SHUNHE	0013 VILLANOVA DR	WESTFORD MA 01886
02-039-0016B	CENTEIO JOSEPH	0035 BOWDOIN ST	WORCESTER MA 01609
02-033-00021	GOW IAN TRUSTEE	0146 BOSTON RD	SOUTHBOROUGH MA 01772
02-039-00043	MAZILU AMELIA +	0447 LEICESTER ST	AUBURN MA 01501
02-039-00046	LAMBERT-HUTCHINSON LUCINDA M +	15 LEBANON ST	WORCESTER MA 01603
02-039-0039A	MILTON EILEEN P	0034 WILLIAM ST	WORCESTER MA 01609
02-033-00052	KITTYCHET LLC	0146 BOSTON RD	SOUTHBOROUGH MA 01772
02-039-00026	DOVETAIL REALTY LLC	0039 WILLIAM ST	WORCESTER MA 01609
02-039-00045	TIFFANY MURPHY PROPERTIES LLC	0020 MARSH RD	SUTTON MA 01590
02-039-00038	ZEUGNER JOHN F + ALICE VALENTI	0031 WILLIAM ST	WORCESTER MA 01609
02-033-40-11	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-40-12	BSHARAT MOHAMMAD + HANAN NAJI	0806 WHITNEY LN	ALLENDALE NJ 07401
02-033-40-13	LAMMI ALLAN A +	24 SHREWSBURY ST	WEST BOYLSTON MA 01583
02-033-40-14	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-40-21	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-40-22	GALINDEZ MARIA GINA	0625 WEST DIVISION ST	CHICAGO IL 60610
02-033-40-41	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-40-42	BULL THOMAS J	0025 TRENTON ST	WORCESTER MA 01604
02-033-40-43	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-40-23	MARTINEZ-WADE MARIA G	99 SEFTON DR	CRANSTON RI 02905
02-033-40-31	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-40-32	BULL THOMAS J	0025 TRENTON ST	WORCESTER MA 01604
02-033-40-33	GREEN LEAF PROPERTIES LLC	0006 BURTON LN	NORTH CHELMSFORD MA 01863
02-033-00039	CEDAR WILLIAMS PROPERTIES LLC	0340 MAIN ST	WORCESTER MA 01608
02-033-00060	CEDAR WILLIAMS PROPERTIES LLC	0340 MAIN ST	WORCESTER MA 01608
02-039-00036	RIZIKA DANIEL J	0018 MANOR RD	MILLBURY MA 01527
02-033-00054	NGUYEN NANG V + QUYEN	0002 AVALON PL	WORCESTER MA 01609
02-033-00061	SULSKI JOHN	0004 AVALON PL	WORCESTER MA 01609
02-033-00042	CHILDREN'S FRIEND INC	0021 CEDAR ST	WORCESTER MA 01609
02-039-00028	LANDRUM-ALVES STEFFEN	0286 CENTRE ST	JAMAICA PLAIN MA 02130
02-039-00040	LANDRUM GLOBAL INC	0268 CENTRE ST	BOSTON MA 02130
02-033-00041	RIZIKA DANIEL J	0018 MANOR RD	MILLBURY MA 01527
02-033-00043	ROMAN CATHOLIC BISHOP OF WORCE	49 ELM ST	WORCESTER MA 01609
02-033-00020	ORTIZ LESLIE	8 NORTH ASHLAND STREET	WORCESTER MA 01609
02-039-015-1	TEMASEK CITY LLC	0018 FOX HOLLOW RD	WORCESTER MA 01605
02-033-00019	MOKKEDEM ABDELILLAH	0025 DIX ST	WORCESTER MA 01609
02-033-00053	KITTYCHET LLC	0146 BOSTON RD	SOUTHBOROUGH MA 01772
02-033-00047	WILLIAM PROPERTIES LLC	0082 EMERALD RD	RUTLAND MA 01543
02-039-00027	ARCHAMBAULT MICHAEL J+	0049 BOWDOIN ST	WORCESTER MA 01609
02-033-00051	JHS LLC	0038 CHESTNUT ST	WESTBOROUGH MA 01581
02-039-00041	AOUDE FARID N + MARIE M	31 LENOX ST	WORCESTER MA 01602
02-039-38-01	38 BOWDOIN STREET LLC	0130 GALLOUPS RD	SWAMPSCOTT MA 01904
02-039-38-02	38 BOWDOIN STREET LLC	0130 GALLOUPES POINT RD	SWAMPSCOTT MA 01907
02-039-38-03	DENG CHENG + KANG	1551 RUCKER PL	SANTA CLARA CA 95050
02-039-38-04	38 BOWDOIN STREET LLC	0130 GALLOUPES POINT RD	SWAMPSCOTT MA 01907
02-039-38-08	38 BOWDOIN STREET LLC	0130 GALLOUPES POINT RD	SWAMPSOCTT MA 01907
02-039-38-05	TERVOLA TIMO	0038 BOWDOIN ST #5	WORCESTER MA 01609

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02-039-38-06

BHATTACHARJEE SURAJIT + KAMALIKA

0017 ORIOLE CIR

SHREWSBURY MA 01545

02-039-38-07

38 BOWDOIN STREET LLC

0130 GALLOUPES POINT RD

SWAMPSCOTT MA 01907

02-039-00013

JOHN STREET BAPTIST CHURCH

PO BOX 2696

WORCESTER MA 01613

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot(s)  $\underline{02-039-0039A}$  as cited above.

Samuel C. Konieczny Certified by:

5/4/2021

Signature

Date



